

3/19/14

11:05 A.M.

Chapter No. 405
14/HR40/R1780SG
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HOUSE BILL NO. 548

Originated in House _____  _____ Clerk

HOUSE BILL NO. 548

AN ACT TO ALLOW THE COMMISSIONER OF INSURANCE TO DISAPPROVE A POLICY FORM, AMENDATORY RIDER OR ENDORSEMENT IF THE COMMISSIONER FINDS THAT A PORTION OR ALL OF THE POLICY FORM, AMENDATORY RIDER OR ENDORSEMENT IS IN ANY RESPECT IN VIOLATION OF ANY STATE OR FEDERAL LAWS, OR CONTAINS OR INCORPORATES BY REFERENCE ANY INCONSISTENT, AMBIGUOUS OR MISLEADING CLAUSES OR EXCEPTIONS AND CONDITIONS; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. (1) The Commissioner of Insurance may disapprove a policy form, amendatory rider or endorsement currently in effect if the commissioner finds that a portion or all of the policy form, amendatory rider or endorsement:

(a) Is in any respect in violation of any state or federal laws; or

(b) Contains or incorporates by reference any inconsistent, ambiguous or misleading clauses or exceptions and conditions.

(2) If the commissioner disapproves a policy form, amendatory rider or endorsement currently in effect, the commissioner shall issue an order only after a hearing held on not

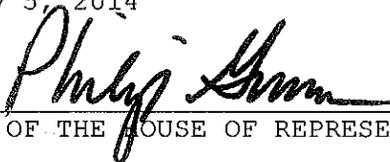
less than thirty (30) days written notice to the filing insurer. The insurer may waive the hearing. The commissioner shall issue an order within thirty (30) days after the close of the hearing or within thirty (30) days after the filing of a waiver of hearing and shall specify in what respects the policy form, amendatory rider or endorsement fails to meet the requirements of this section. The commissioner may extend the thirty-day period for issuance of an order for an additional thirty (30) days.

(3) This section may apply to any health insurance policy or employee health benefit plan which is delivered, renewed, issued for delivery, or otherwise contracted for in this state, but shall not apply to any policy of disability income insurance or long-term care insurance.

(4) The commissioner may promulgate rules and regulations necessary to carry out the provisions of this section.

SECTION 2. This act shall take effect and be in force from and after its passage.

PASSED BY THE HOUSE OF REPRESENTATIVES
February 5, 2014


SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE
March 5, 2014


PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR


GOVERNOR
3/19/2014 11:05am